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LATHAM & WATKINS LLP

May 14, 2021

VIA ECF

The Honorable Madeline Cox Arleo
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

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Re: *Pacira BioSciences v. American Society of Anesthesiologists, et al., Case No. 2:21-cv-9264*

Dear Judge Arleo:

We write regarding Pacira's Motion for Preliminary Injunction, ECF No. 3. On April 14, 2021, Pacira filed its Motion for Preliminary Injunction, along with 20 exhibits. The Memorandum in Support of the motion, along with 4 of the 20 exhibits, were filed under seal, and currently remain under seal. However, at the recent case management conference before Magistrate Judge Allen on May 7, 2021, Pacira agreed to withdraw its Motion for Preliminary Injunction, which was accordingly terminated. ECF No. 39. Pacira assumes that there is no need to submit redacted versions of the terminated Memorandum in Support or the sealed exhibits, as the motion is now moot. However, if the Court would like us to proceed with submitting a motion to seal and redacted versions of the filings under Local Civil Rule 5.3, we will be happy to do so.

Respectfully submitted,

s/ Kevin M. McDonough

Kevin M. McDonough
of LATHAM & WATKINS LLP

cc: All counsel of record